EXHIBIT

Joint Body Approves Rule To Ban Smoking At Meets

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PIERRE (AP) — There may be a number of bills smoked-out of committee during the 1973 legislative session, but there aren't going to be any legislators smoked-out of committee, literally, if a joint rule approved Thursday gets through both Houses.

The joint rules committee approved by a 5-1 vote a rule that would ban all smoking during House and Senate committee meetings.

The motion to approve the no smoking rule was made by Sen. Oscar Austad, R-Sioux Falls, who said, "I think it's time the legislature started protecting the rights of nonsmokers on committees."

The Sioux Falls lawmaker said he would like to see the no smoking ban extended to the floors of both chambers and the House and Senate galleries, but settled for a more limited rule.

"I think the members of each committee have the right to breathe pure air," said Austad. "In light of recent smoking studies, I feel smokers are infringing on the rights of nonsmokers."

The only member of the joint rules committee who didn't side with Austad was Sen. Charles Donnelly, D-Rapid City.

"Eight months ago today I gave up a three-pack-a-day habit," said Donnelly, "but I feel we are infringing on the rights of smokers if we pass this rule."

Rep. John Bibby, R-Brookings, who voted with Austad even though he himself is a smoker, said, "committee rooms are one thing, but banning smoking in the chamber is another thing." The Brookings Republican said he felt prohibiting smoking on the floor of the Houses might affect the work of legislators because the smoker might be ducking out for a cigarette occasionally during floor action or be unduly nervous or uncomfortable because they couldn't smoke.

The rule, which must be approved by both houses, is not expected to come up for debate until next week and opposition is certain.

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